

BILL NO. Z-70-10-30

ZONING MAP ORDINANCE NO. Z- 132-74

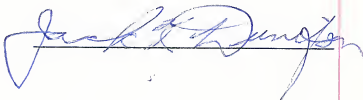
AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. JJ-2.

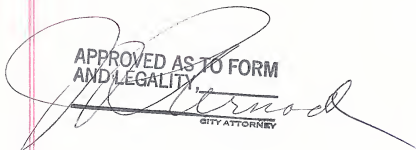
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby
designated a B-4 District under the terms of Chapter 36,
Municipal Code of the City of Fort Wayne, Indiana, 1946, as
amended by General Ordinance No. 2836 and amendments thereto;
and the symbols on the City of Fort Wayne Zoning Map No. JJ-2
referred to therein, established by Section 9, Article III of
said Chapter as amended, are hereby changed accordingly, te-wit:

Lots Numbered 1, 2, 3, 4, and 5 in
Beerman's First Addition to the City
of Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage, approval by the Mayor, and
legal publication thereof.



APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on _____ the _____ day of _____ 196 71, at _____ o'clock P.M., E.S.T. _____

Date: 10-27-70

Thad J. Bonahoom
City Clerk

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage.

Passed (~~1087~~) by the following vote:

AYES 8, NAYS 0, ABSTAINED _____, ABSENT 1 to-wit:

Adams	<u>✓</u>	_____	_____	_____
Dunifon	<u>✓</u>	_____	_____	_____
Fay	<u>✓</u>	_____	_____	_____
Geake	<u>✓</u>	_____	_____	_____
Nuckols	<u>✓</u>	_____	_____	_____
Robinson	<u>✓</u>	_____	_____	_____
Rousseau	_____	_____	_____	<u>✓</u>
Steigerwald	<u>✓</u>	_____	_____	_____
Tipton	<u>✓</u>	_____	_____	_____

Date 1-12-71

Thad J. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(General)(Annexation)(Special)(Appropriation) Ordinance (~~Resolution~~) No. 2-132-71

on the 12th day of January, 196 71.

ATTEST: (SEAL)

Thad J. Bonahoom
City Clerk

Thad J. Bonahoom
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of January, 196 71 at the hour of 8:30 o'clock A.M., E.S.T.

Thad J. Bonahoom
City Clerk

Approved and signed by me this 15th day of January, 196 71, at the hour of 2:20 o'clock P.M., E.S.T.

Harold A. Zeis
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 27, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-10-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 16, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 23, 1970.

Certified and signed this
31st day of December, 1970

Mary Ann Haynie

Mary Ann Haynie
Secretary

Bill No. Z-70-10-30

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. JJ-2,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

JOHN H. ROBINSON

Herbert G. Tipton
Jack K. Dunifon
Thomas G. Adams
William K. Geake
John H. Robinson

CONCURRED IN

DATE 1-12-71 RUAD G. BONAHOOB, CITY CLERK

RECEIPT

Nº 38

GENERAL FUND

FT. WAYNE, IND.,

Oct. 22 1970

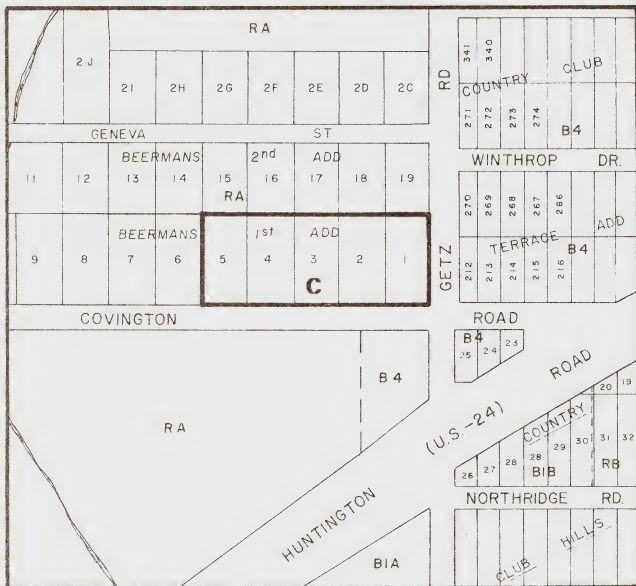
RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

D. Stanley Wood, Attorney for Petitioners \$ 25⁰⁰
Re: J. Thiel, W. Jahn, E. Arnold & E. Murray
Twenty five ^{no}/₁₀₀ DOLLARS
Petition to Rezone Lots 1, 2, 3, 4 & 5 in
Beerman's First Add.

Vivian B. Huffman
AUTHORIZED SIGNATURE



C CHANGE FROM RA TO B4

2-70-10-30

N

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from ~~an~~ RA District to ~~an~~ a B-4 District, the real estate described as follows, to-wit:

Lots Numbered 1, 2, 3, 4, and 5 in Beerman's
First Addition to the City of Fort Wayne, Indiana.

Lot No. 1

Jon W. Thiel
Jon W. Thiel

Lot No. 2

Wilbert Jahn
Wilbert Jahn

Lot No. 3

Esther Arnold
Esther Arnold

Lot No. 4 & 5

Edison Murray
Edison Murray

DEDICATION

We, Ron V. and Sharon A. Thiel, Wilbert Jahn, Esther Arnold, and Edison and Mary L. Murray of Allen County, Indiana, owners of Lots 1, 2, 3, 4 and 5 in Beerman's First Addition to the City of Fort Wayne, Indiana, hereby dedicate to the public for street purposes in consideration of permission granted by the Common Council of the City of Fort Wayne, with the approval of the Mayor to use said real estate for any and all uses authorized under or in connection with a B-4 Zoning classification as defined by Municipal Code of the City of Fort Wayne, Indiana, a strip of land in Allen County, Indiana, described as follows:

The South Fifteen (15) feet of Lots 1, 2, 3, 4 and 5 in Beerman's First Addition to the City of Fort Wayne, Indiana.

The intent of this dedication is to dedicate to the public sufficient land for street purposes to insure a total distant of 40 feet north of the center line on said Covington Road commencing with Lot No. 1 in Beerman's First Addition to the City of Fort Wayne, Indiana, and extending in a westerly direction through and including Lot No. 5 in Beerman's First Addition to the City of Fort Wayne, Indiana.

The undersigned further state that the dedication here and before described shall be considered to run with the land and shall apply to and bind all heirs assigns and successors in interest of above described property and recitation of said dedication shall be contained in any subsequent deed or other instrument of conveyance concerning the above described property.

Witness our hands and seals this _____ day of _____

197

Lot No. 1

Jon W. Thiel

Sharon A. Thiel

Lot No. 2

Wilbert Jahn

"Surviving tennant in common of
Arthur O. H. Jahn, deceased"

Lot No. 3

Esther Arnold

Lots Nos. 4 & 5

Edison Murray

Mary N. Murray

STATE OF INDIANA

COUNTY OF ALLEN

Before me, a Notary Public in and for said County and State, this

_____ day of _____, 197____, personally appeared Jon W. and

Sharon A. Thiel, Wilbert Jahn, Esther Arnold, and Edison and Mary N. Murray,

and acknowledged the execution of the above Dedication to be their voluntary
act and deed.

Notary Public

My Commission Expires:

Prepared by

G. Stanley Hood
Attorney at Law
814 Anthony Wayne Bank Building
Fort Wayne, Indiana 46802

AGREEMENT

We, Jon W. and Sharon A. Thiel, Wilbert Jahn, Esther Arnold, and Edison and Mary N. Murray being the owners of real estate in Allen County, Indiana, described as follows:

Lots 1, 2, 3, 4 and 5 in Beerman's First Addition to the City of
Port Wayne, Indiana,

in consideration of permission granted by the Common Council of the City of Port Wayne, with the approval of the Mayor to use said real estate for any and all uses authorized or in connection with a B-4 Zoning classification as defined by the Municipal Code of the City of Port Wayne, Indiana, hereby agree with the City of Port Wayne, Indiana, as follows:

We will construct or cause to be constructed no more than two (2) curb cuts along the entire frontage of said Lots 1, 2, 3, 4 and 5 in Beerman's First Addition to the City of Port Wayne, on Covington Road.

We further agree that no construction on said curb cuts shall begin until the plans and specifications for said curb cuts have been submitted to and approved by the Traffic Engineer of the City of Port Wayne.

We will construct or cause to be constructed along the entire frontage of Lots 1, 2, 3, 4 and 5 in Beerman's First Addition to the City of Port Wayne, on Covington Road acceleration and deceleration lanes.

We further agree that no construction on said acceleration or deceleration lanes shall commence until plans and specifications for these have been submitted to and approved by the Traffic Engineer of the City of Port Wayne.

The undersigned further state that this Agreement and all parts thereof here and before stated be considered to run with the land and shall apply to and be binding upon all heirs assigns and successors in interest of the above described property and shall be contained in any subsequent deed or other instrument of conveyance concerning the above described property.

This Agreement may be enforced by the City of Port Wayne, by objection or otherwise.

Witness our hands and seals this 21 day of December,

197 .

Lot No. 1

Jon W. Thiel

Sharon A. Thiel

Lot No. 2

Wilbert Jahn "Surviving tennant in common of
Arthur O. H. Jahn, deceased"

Lot No. 3

Esther Arnold

Lots No. 4 & 5

Edison Murray

Mary N. Murray

STATE OF INDIANA)

) SS

COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, this

day of December, 197 , personally appeared Jon W. and

Sharon A. Thiel, Wilbert Jahn, Esther Arnold, and Edison and Mary N. Murray,

and acknowledged the execution of the above Agreement to be their voluntary
act and deed.

[Signature]
Notary Public

My Commission Expires:

Prepared by

G. Stanley Hood
Attorney at Law
814 Anthony Wayne Bank Building
Fort Wayne, Indiana 46802

DEDICATION

We, Jon W. and Sharon A. Thiel of Allen County, Indiana, owners of Lot No. 1 in Beerman's First Addition to the City of Fort Wayne, hereby dedicate to the public for street purposes in consideration of permission granted by the Common Council of the City of Fort Wayne, with the approval of the Mayor to use said real estate for any and all uses authorized under or in connection with a B-4 Zoning classification as defined by the Municipal Code of the City of Fort Wayne, Indiana, a strip of land in Allen County, Indiana, described as follows:

The East Fifteen (15) feet of Lot No. 1 in Beerman's First Addition to the City of Fort Wayne, Indiana.

The intent of this dedication is to dedicate to the public for street purposes sufficient land to insure a total distant of 40 feet west of the center line of Getz Road for street purposes running along the entire eastern property line of Lot No. 1 in Beerman's First Addition to the City of Fort Wayne, Indiana.

The undersigned further state that the dedication here and before described shall be considered to run with the land and shall apply to and be binding upon all heirs assigns and successors of interest of above described property and recitation of said dedication shall be contained in any subsequent deed or other instrument of conveyance concerning the above described property.

Witness our hands and seals this 21 day of December

197 ____.

Jon W. Thiel
Jon W. Thiel

Sharon A. Thiel
Sharon A. Thiel

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, this
_____ day of December, 197 ____, personally appeared Jon W. and
Sharon A. Thiel, and acknowledged the execution of the above Dedication to be
their voluntary act and deed.

Butt M. Lamm
Notary Public

My Commission Expires:

Prepared by

G. Stanley Hood
Attorney at Law
814 Anthony Wayne Bank Building
Fort Wayne, Indiana 46802

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen
County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

-

71

1

72

COMPUTATION OF CHARGES

72 lines, columns wide equals equivalent lines at 28¢
cents per line \$ 20.74

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 20.74

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 30, 1971

Title CLERK

Legal Notices

Notice is hereby given that on the 12th day of January, 1971, the Common Council of the City of Fort Wayne, Indiana, in a regular session, did pass the following Zoning Map Ordinance, to-wit: ZONING MAP ORDINANCE NO. 7-132-71 AM ORDINANCE amending the City of Fort Wayne Zoning Map No. 140, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B4 District, and the name of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana 1966, as amended by General Ordinance No. 259 and amendments thereto, and the symbols on the City of Fort Wayne Zoning Map No. 140, as referred to therein, established by Section 9, Article III of said Charter as amended, are hereby changed accordingly, to-wit: Lots numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 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737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Read the third time in full and on motion by Tipton seconded by Geiske and duly adopted as amended on its passage. Passed by the following vote:

Ayes eight.
Adams, Dunfey, Foy, Geiske, Nuckols, Robinson, Steigerwald, Tipton.
Nays none.

Absent one, to-wit: Councilman Rousseau.

Fuad G. Bonehoom, City Clerk.

Done 1-27-71.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 7-132-71 on the 12th day of January, 1971.

ATTEST: Fuad G. Bonehoom, City Clerk.

Phil A. Steigerwald, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of January, 1971, at the hour of 8:30 o'clock A.M.

Fuad G. Bonehoom, City Clerk.

Approved and signed by me this 13th day of January, 1971, at the hour of 7:30 o'clock P.M., U.S.T.

I, Fuad G. Bonehoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. 7-132-71 as passed by the Common Council on the 12th day of January, 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 13th day of January, 1971 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 13th day of January, 1971.

Fuad G. Bonehoom, City Clerk.

SEAL

1-23-30

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

January 23, 1971

January 30, 1971

Subscribed and sworn to before me this 30th day of January 1971

Notary Public

My commission expires March 8, 1974

Common Council-City of Ft. Wayne
(Governmental Unit)

To NEWS-SENT INEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

71

1

72

COMPUTATION OF CHARGES

72 lines, columns wide equals equivalent lines at 28¢
cents per line

\$ 20.74

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 20.74

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 30, 1971

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that she is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

In state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

January 23, 1971

January 30, 1971

Subscribed and sworn to before me this 30th day of January 1971

My commission expires March 8, 1974

Notice is hereby given that on the 12th day of January, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map Ordinance No. 7-123-71, AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 112, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated as B-4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1968, as amended by General Ordinance No. 355 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. 112 referred to therein, established by Section 9, Article III of said Charter as amended, are hereby changed accordingly, to wit:

Section 1. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and legal publication thereof.

Read the third time in full and on motion by Mayor, seconded by Councilman Adams, the following vote:

Present by the following vote:

Adams, Dunton, Fay, Geake, Nuckolls, Robinson, Shepherd, Tipton.

Absent and, to-wit: Councilman Roussou.

Seal: Fud G. Bonham, City Clerk.

Attest: Fud G. Bonham, City Clerk.

Phil A. Seiderwald, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 12th day of January, 1971, of the hour of 8:30 o'clock A.M.

Attest: Fud G. Bonham, City Clerk.

Agreed and signed by me this 15th day of January, 1971, of the hour of 7:36 o'clock P.M.

Harold S. Zeig, Mayor.

I, Fud G. Bonham, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of said Ordinance No. 7-123-71, passed by the Common Council on the 12th day of January, 1971, and that said Ordinance January, 1971, and that said Ordinance now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of January, 1971.

Fud G. Bonham, City Clerk.

SEAL
1-23-36